

REMARKS

Claims 22-24 remain in this application. Claims 22 and 24 have been amended to more clearly define the limits of the instant invention. More specifically, claims 22 and 24 have been amended for the following reason(s): to overcome the 35 USC §103(a) rejection of claims 22-24 as unpatentable over GenBank Accession Number **W22987** (October 8, 1997), in view of **Lerner (Nature 299:592-596, 1982)**. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**."

The 35 U.S.C. §103 Rejections

Claims 22-24 remain rejected under 35 U.S.C. §103(a), as unpatentable over GenBank Accession Number **W22987** (October 8, 1997), in view of **Lerner (Nature 299:592-596, 1982)**. This rejection is respectfully traversed.

Lerner teaches methods of generating antibodies of predetermined specificity to various antigens. **W22987** discloses the sequence of a serine protease expressed in the human colon carcinoma cell line **COLO 201**, which is identical to amino acids 615-855 of **TADG-15**. The Examiner continues to argue that it would be obvious to use the teachings of **Lerner** to generate an antibody against all or part of **W22987** to obtain an antibody against **TADG-15** to incorporate into the kit of the instant invention. Applicants respectfully disagree.

Applicants have amended claims 22 and 24 to recite that the antibody against **TADG-15** is directed against "all or part of amino acids 1 to 614 of SEQ ID No. 2". The legend to Figure 4 of the instant specification on Page 10, lines 16-20 clearly indicates that amino acids 615 to 855 were considered to represent a distinct domain from the rest of the protein. Therefore, excluding these sequences from those used to generate antibodies would be obvious to one of skill in the art. As amino acids 1-614 are not disclosed by GenBank Accession Number **W22987**, an antibody directed against them would be specific to **TADG-15**. Accordingly, the Applicant respectfully requests that the 35 U.S.C. §103(a) rejection of claims

22-24 under as unpatentable over GenBank Accession Number W22987 in view of Lerner be withdrawn.

This is intended to be a complete response to the Final Office Action mailed July 13, 2001. The Applicants submit that the pending claims are in condition for allowance. If any issues remain, please telephone the attorney of record for immediate resolution.

Respectfully submitted,

DATE: Sept 10, 2001



Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423
Counsel for Applicant

ADLER & ASSOCIATES
8011 Candle Lane
Houston, Texas 77071
(713) 270-5391
badler1@ houston.rr.com

VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE CLAIMS:**

Claim 22 has been amended as follows:

22. (twice amended) A kit for detecting Tumor Antigen Derived Gene-15 (TADG-15) protein, comprising: an antibody, wherein said antibody is specific for TADG-15 protein, wherein said antibody is directed against all or part of amino acids 1 to 614 of SEQ ID No. 2.

Claim 24 has been amended as follows:

24. (twice amended) An antibody, wherein said antibody is specific for amino acids 1 to 615 of Tumor Antigen Derived Gene-15 (TADG-15) protein, wherein said antibody is directed against all or part of amino acids 1 to 614 of SEQ ID No. 2.